SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 4240 /2005

PETITIONER : Jai Dhaneshwari Education Society (Reg. Chhattisgarh Rajya 227) Through Suhas Kadam S/o Baliram Kadam Aged about 26 years, Occupation – Assistant Professor R/O- VIP Road, Raipur, District : Raipur C.G.)

4376/05
P.R. No.
Presented by Shri Binu Pathak
dated 29/8/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Department of Agriculture, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)

2. Vice Chancellor, Indira Gandhi Krishi Vishwavidyalay Krishak Nagar, Raipur (C.G.)

3. Chairman Board of Management, Indira Gandhi Krishi Vishwavidyalay Krishak Nagar, Raipur (C.G.)

4. Registrar, Indira Gandhi Krishi Vishwavidyalay Krishak Nagar, Raipur (C.G.)

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29/08/05
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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4240 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB: Hon'ble Shri Justice A. K. Patnaik, C.J.
& Hon'ble Shri Justice Satish K. Agnihotri, J.

26.9.2005

Heard Smt. Hamida Siddque, Advocate for the petitioner, Shri V. V. S. Moorthy, Deputy Advocate General for the Respondent No.1, and Shri Prashant Mishra, Senior Advocate with Shri B. D. Guru, Advocate for the Respondents No. 2 to 4.

The petitioner is a Society registered under the Madhya Pradesh Registrikaran Act, 1973 (now Chhattisgarh Registrikaran Act, 1973) and has set up an Agriculture College called College of Agricultural Biotechnology, Raipur. The said college was granted affiliation by the Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur by notification dated 19.12.2002 (Annexure P/4) for B.Sc. (Biotechnology) programme.

The Board of Management of the Indira Gandhi Krishi Vishwavidyalaya in its 56th meeting held on 30th July, 2005 has refused to grant permission to the petitioner for admitting fresh students during the academic session 2005-2006 in the said college and has suggested that the college can change the degree from B. Sc. (Agricultural Biotechnology) to B.Sc. (Biotechnology) and can seek affiliation from any other Traditional University, on the ground that the National Agricultural Research and

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4240 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश –2–	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Education system as regulated/managed by ICAR, does not permit undergraduate programme/degree offered in the name of B.S.C. (Agricultural Biotechnology or B.Sc. (Biotechnology), and hence the affiliation for the aforesaid course cannot be continued.

When the matter was taken up today, Smt. Hamida Siddque, learned counsel for the petitioner proposed to file a representation against the decision of the Board of Management, before the competent authority of the University.

We accordingly dispose of this petition with the direction that the petitioner will file a representation before the competent authority of the University, and decision will be taken on the said representation within 10 days of the receipt of such representation and the said decision will be communicated to the petitioner forthwith. In case the petitioner is still aggrieved, it may avail the remedy available under the law.

The present petition stands disposed of with the above directions.

Certified copy, as per Rules.

Sd/-
Chief Justice

Sd/-
Sunil Kumar Sinha
Judge

Thakur